

OLIVE BRANCH

Advocates

Manifestation Determination Review (MDR) Cheat Sheet for Texas Parents

A Manifestation Determination Review (MDR) is a crucial process in special education that helps ensure students with disabilities are not unfairly disciplined for behaviors related to their disabilities. It's a protective measure under the Individuals with Disabilities Education Act (IDEA) that ensures students receive appropriate support rather than punitive measures.

What is a Manifestation Determination Review (MDR)?

An MDR is a meeting held by a student's Individualized Education Program (IEP) team to determine if a student's misbehavior is directly linked to their disability or if it resulted from the school's failure to implement the IEP. This review is triggered when a student with a disability faces suspension or expulsion, which would result in a change of placement for more than 10 consecutive school days or an accumulation of 10 days due to similar behavior.

The Two Critical Questions in an MDR

During an MDR, the IEP team must answer two essential questions:

1. *Is the behavior in question caused by, or does it have a direct and substantial relationship to, the student's disability?*
 - This question examines whether the student's disability directly influenced the behavior. For instance, if a child with ADHD impulsively acts out, the behavior may be seen as a manifestation of their disability.
2. *Was the behavior a direct result of the school's failure to implement the IEP?*
 - This question assesses whether the school adhered to the IEP as planned. If the school did not provide the support or accommodations outlined in the IEP, the behavior might be linked to this failure.

How MDR Ties to a Child's IEP

An IEP is a legal document tailored to meet the unique educational needs of a student with a disability. It outlines the special education services, accommodations, and goals for the student. The MDR process is directly connected to the IEP as it ensures that disciplinary actions consider the educational plan and its proper implementation.

- IEP Compliance: If the behavior resulted from a failure to implement the IEP, the school must take corrective action to ensure compliance.
- Behavioral Interventions: The MDR may prompt revisions to the IEP, including additional behavioral interventions or supports tailored to prevent future incidents.

Importance of MDR for Students with Disabilities

MDRs safeguard the rights of students with disabilities by ensuring that disciplinary measures do not unjustly penalize them for actions related to their disabilities. This process helps maintain an educational environment that is supportive and accommodating, aligning with the student's specific needs.

Key Takeaways for Parents:

- Participate in the MDR: Parents should actively participate in the MDR process to advocate for their child's needs.
- Understand the IEP: Familiarize yourself with your child's IEP to better evaluate whether it's being implemented effectively. Pay close attention to the student's accommodations and the present level section of the IEP. If the student has a behavior intervention plan, review the strategies outlined for each targeted behavior.
- Know Your Rights: Be aware of your child's rights under IDEA to ensure they receive the necessary support and accommodations.

By understanding and participating in the MDR process, Texas parents can help ensure their children receive fair treatment and the educational support they deserve.